DODGE COUNTY PLANNING, DEVELOPMENT AND PARKS COMMITTEE MINUTES August 5, 2013

The Dodge County Planning, Development and Parks Committee met on August 5, 2013 at 7:00 p.m. on the 1st Floor of the Administration Building, Juneau, Wisconsin.

Chairman Schaefer called the meeting to order. Roll Call was taken. Members present were Tom Schaefer, Allen Behl, Randy Grebel, Joseph Marsik and William Muche. The staff present at the request of the Chairman was Joseph Giebel.

The Chairman asked the staff to confirm compliance with the open meeting laws and the public hearing notice requirements. Mr. Giebel noted that the meeting was properly noticed in accord with the open meeting law and noted that the required notices for the public hearings listed on the agenda were posted, mailed and published in accord with the statute and code requirements.

The agenda was reviewed and approved as posted.

TOWN REZONING REQUESTS

Bernard and Cynthia Wolf – Part of the NE ¼, SE ¼, Section 13, Town of Herman – A petition to rezone 38.759-acres of land from the A-2 General Agricultural Zoning District to the A-1 Farmland Preservation Zoning District under the Town of Herman Zoning Ordinance has been submitted by the Town of Herman to the Dodge County Board of Supervisors for approval - Committee review and recommendation.

Motion by Grebel to submit a favorable recommendation to the County Board of Supervisors to rezone 38.759-acres of land from the A-2 General Agriculture Zoning District to the A-1 Farmland Preservation Zoning District under the Town of Herman Zoning Ordinance.

Second by Muche Vote 5-0 Motion carried.

The hearing procedures were read into the record.

PUBLIC HEARING

Jeffrey and Rebecca Schultz – Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the creation of a 7.5-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The property is located in part of the NW ¼, NW ¼, Section 9, T11N, R13E, Town of Calamus, the site address being W11235 Schultz Dr.

Motion by Marsik to approve the conditional use permit request to allow for the creation of a 7.5-acre non-farm residential lot within the A-1 Prime Agriculture Zoning District subject to the following conditions:

- 1. The applicant shall obtain the required land division approvals for the proposed lot from the County and local municipalities if required, prior to the creation of these lots;
- 2. The proposed non-farm residential lot shall not exceed 9.192-acres in area unless the lot is successfully rezoned out of the A-1 Prime Agricultural Zoning District;

- 3. Only one single family residential unit may be located on the proposed non-farm residential lot unless this lot is successfully rezoned into a zoning district which allows additional residential units;
- 4. The acreage of the proposed non-farm residential lot shall count towards the total nonfarm residential acreage that can be created from the base farm tract for this property;
- 5. The 12-acre lot shall be restricted to agricultural and open space recreational use only.
- 6. A "Notice of Zoning Limitations" document shall be recorded with the Dodge County Register of Deeds Office for the following parcels which make up the "base farm tract" which notifies the potential buyers of these parcels that there may be limitations as to the number of new lots that can be created from this base farm tract:
 - 008-1113-0922-000; 008-1113-0434-000; 008-1113-0424-000;
- 7. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;
- 8. The decision of the Committee is valid for one year.

Second by Behl

Vote 5-0

Motion carried.

OTHER BUSINESS

1. Review Petition to amend the Wind Energy Overlay District provisions of the Land Use Code, Dodge County Wisconsin.

Mr. Giebel reviewed a proposed amendment to the Wind Energy Overlay District provisions of the Land Use Code with the Committee. The intent of the petition is to update certain provisions of the Land Use Code that are related to the regulation of wind energy systems in order to bring the Code into compliance with the applicable Wisconsin State Statutes and the Wisconsin Administrative Code

Motion by Muche to submit the petition for a public hearing.

Second by Grebel

Vote: 5-0

Motion carried.

2. The minutes from the July 1, 2013 meeting were reviewed by the Committee.

Motion by Marsik to approve the minutes as written.

Second by Grebel

Vote: 5-0

Motion carried.

Motion by the Chair to adjourn the meeting. 7:40 PM

Respectfully Submitted,

Disclaimer: The above minutes may be approved, amended or corrected at the next committee meeting.